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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/670,881	09/25/2003	Kevin J. Yang	2000.008.00/US	5762

41894 7590 07/26/2005

WALTER D. FIELDS  
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601 MAIN STREET  
SUITE 405  
VANCOUVER, WA 98660

EXAMINER
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WOJCIECHOWICZ, EDWARD JOSEPH

ART UNIT	PAPER NUMBER
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2815

DATE MAILED: 07/26/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/670,881

Applicant(s)

YANG ET AL.

Examiner

Edward Wojciechowicz

Art Unit

2815

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 15 April 2005.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-65,67 and 70-85 is/are pending in the application.
- 4a) Of the above claim(s) 25-65 and 70-81 is/are withdrawn from consideration.
- 5) ☐ Claim(s) 19-24,67,84 and 85 is/are allowed.
- 6) ☒ Claim(s) 1-18,82 and 83 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 9-25-03.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

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### DETAILED ACTION

The indicated allowability of claims 1-18 is withdrawn in view of the newly discovered reference(s) to Hokuyo et al (4,177,477) and Varker et al (H569). Rejections based on the newly cited reference(s) follow.

#### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claim 1 and 11 are rejected under 35 U.S.C. 102(b) as being anticipated by Hokuyo. The reference teaches the basic structure of claim 1 with a thyristor formed which includes a base-emitter junction, and has "leakage species" disposed across the base-emitter junction. See, for example, the figure, where a metal dopant is formed across base (3) and emitter (4) and serves to effectively increase the leakage current of the device (col. 1, l. 50-55).

#### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 2-10, 12-18, 82 and 83 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hokuyo et al in view of Varker et al. While Hokuyo teaches the basic structure of the claimed thyristor which incorporates leakage species, Varker adds to this teaching by showing that carbon may typically be used for this purpose. See, for example, Varker's teaching at col. 16, l. 45-65. While Varker uses carbon dopants in combination with oxygen in his particular embodiments, Varker also recognizes that carbon

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may also function as a recombination center itself. The specific carbon densities claimed would be within the scope of Varker's teaching, as would the effective results on the gain of the device and the operational parameters, when used in a device such as Hokuyo.

One skilled in the art would be motivated to combine these references, in order to avoid some of the known disadvantages gold dopants.

***Allowable Subject Matter***

Claims 19-24, 67, 84 and 85 are allowed.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Edward Wojciechowicz whose telephone number is 571-272-1739. The examiner can normally be reached on Monday through Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tom Thomas can be reached on (571) 272-1664. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Edward Wojciechowicz  
Primary Examiner  
Art Unit 2815

EW: ew